

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GLENN T. TURNER,

Plaintiff,

v.

LEBBEUS BROWN, MARK KARTMAN,
WILLIAM BROWN, GARY BOUGHTON,
MS. DICKMAN, SGT. BLOYER,
OFC. BULMAN, and SGT. BERGER,

Defendants.

ORDER

17-cv-764-jdp

Plaintiff Glenn T. Turner, appearing pro se, is a prisoner housed at Wisconsin Secure Program Facility. In this lawsuit, he alleges that prison officials violated his rights in various ways when they refused to advance him through the prison's "High Risk Offender Program" and confiscated his inhaler even though they knew he was at risk for a harmful asthma attack.

Six weeks after the court's preliminary pretrial conference order, Turner filed a motion for summary judgment. Dkt. 16. Defendants requested a response deadline set at the dispositive-motions deadline of March 22, 2019. The court denied that request but acknowledged that defendants were entitled to some extra time to conduct discovery. Dkt. 29. So defendants' response deadline was set to December 3, 2018. Defendants asked for an extension of this deadline, citing counsel's workload and Turner's voluminous summary judgment materials. Dkt. 31. Defendants stated that with another short extension they could file their own summary judgment motion at the same time as their response to Turner's. *Id.* The court granted defendants' motion for an extension and set the new response deadline for December 12, 2018. Dkt. 32. Defendants filed their summary judgment motion on that date, Dkt. 33, along with most of their combined materials supporting their motion an opposing

Turner's. The one exception is that defendants filed their responses to Turner's proposed findings of fact the next day. Dkt. 43.

Turner has filed a motion asking me to order that defendants receive no further extensions of their summary judgment response deadlines and for entry of default judgment because defendants did not respond to his motion. Dkt. 44. He states that "in the interest of finality and fair play . . . the court should not continue to allow the defendants to slow crawl their response deadline to March of 2019." *Id.* at 3. But Turner is mistaken that defendants did not file their response, so I will deny his motion. It is now up to him to respond to defendants' submissions. Counsel for defendants should ensure that Turner has indeed received a copy of defendants' materials.

ORDER

IT IS ORDERED that plaintiff Glenn T. Turner's motion for an order stating that defendants may receive no further extensions of their summary judgment response deadlines and for default judgment, Dkt. 44, is DENIED.

Entered December 20, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge